

REVISIONS TO WIS. ADM. NR 445 STATUS REPORT AS OF JUNE 22, 2000

This status report is a snapshot of the issues that have been discussed with the TAG, decisions made (recognizing that they can still be changed if we choose), issues needing further analysis or discussion and issues yet to be discussed. It represents what we (DNR staff) believe to be the results of the TAG dialogue, understanding that this does not represent a consensus and that individual TAG members may not support each decision item.

To date, most of our attention has been focused on issues related to setting emission standards and threshold levels. Although dialogue will continue on some of these issues, we will be focusing more of our attention in the next few months on implementation and compliance related issues.

ISSUES THAT NEED FURTHER DISCUSSION OR ANALYSIS ARE IN ITALICS.

PHASE ONE: EMISSION STANDARDS, THRESHOLD LEVELS AND RELATED ISSUES **DECISION CRITERIA FOR LISTING CHEMICALS IN NR 445**

TABLES 1 (AND 4), 2 AND 5:

CHEMICALS WITH TLVs LISTED BY ACGIH, EXCEPT:

- THOSE WITH TLVs > 99PPM
- SIMPLE ASPHYXIANTS

TABLE 3:

CHEMICALS LISTED BY BOTH IARC AND NTP AS KNOWN OR SUSPECTED CARCINOGENS

PENDING:

REALITY CHECK REVIEW

REVIEW OF 9TH REPORT TO CONGRESS

REVIEW OF YEAR 2000 TLV LISTINGS

LISTING ON MULTIPLE TABLES

DECISION CRITERIA FOR ESTABLISHING THRESHOLD LEVELS IN NR 445

MODELING:

- 20 YEARS OF METEOROLOGICAL DATA
- WORST HOUR, WORST DAY, AND WORST YEAR
- MORE CONSERVATIVE OF RURAL OR URBAN COEFFICIENTS
- 3 STACK HEIGHTS (11, 25 AND 75 FOOT STACKS)
- ISCST3 MODEL (INCLUDING DOWNWASH EFFECT)
- MODEL DOES NOT CONSIDER: CUMULATIVE, ADDITIVE, SYNERGISTIC OR ANTAGONISTIC IMPACTS OF EMISSIONS OF AIR TOXICS

EMISSION LEVELS:

TABLES 1 (AND 4), 2 AND 5: NOT TO EXCEED AAC FROM SOURCE

PENDING:

TABLE 3: NOT TO EXCEED 10-5 RISK LEVEL FROM SOURCE

OPTIONAL DEMONSTRATION OF COMPLIANCE WITH THRESHOLD LEVELS:

TABLES 1 (AND 4), 2 AND 5: SECOND LEVEL SCREENING (SITE SPECIFIC MODELING)

TABLE 3: SITE SPECIFIC MODELING OF ACTUAL EMISSIONS AND INCLUDE ENFORCEABLE LIMITS IN PERMIT

PENDING:

SOME DETAILS RE: SECOND LEVEL SCREENING FOR TABLES 1(4), 2 AND 5

DECISION CRITERIA FOR ESTABLISHING THRESHOLD LEVELS IN NR 438

NR 445 CHEMICALS:

SET THRESHOLDS AT 50% OF NR 445 THRESHOLD LEVEL, EXCEPT:

- RETAIN EXISTING THRESHOLD LEVELS FOR DIOXIN AND PCBs
- SET THRESHOLD AT 10 LBS/YEAR FOR ALL MERCURY EMISSIONS

PENDING:

NON-REGULATED CHEMICALS OF CONCERN:

TLVs > 99 PPM: 100,000 LBS/YEAR FROM A FACILITY

GREAT LAKES CHEMICALS: 10 LBS/YEAR FROM A FACILITY

NO IMPACT ON EMISSION FEES

COMPLIANCE OPTIONS

TABLE 3:

- ENFORCEABLE LIMITS IF MODELED FACILITY-WIDE EMISSIONS DO NOT EXCEED 10-5 RISK AT PROPERTY BOUNDARY OR BEYOND

PENDING:

HOW TO HANDLE COMPOUNDS WITH NO KNOWN UNIT RISK FACTORS

OTHER

CHEMICALS WITH TLVs > 99 PPM:

DNR WILL CONDUCT SITE SPECIFIC EVALUATION IF POTENTIAL EXISTS TO EXCEED THE AAC. IF SITE SPECIFIC EVALUATION SHOWS POTENTIAL EMISSIONS EXCEED AMBIENT AIR CONCENTRATIONS AT OR BEYOND THE PROPERTY LINE, EMISSION LIMITS NOT TO EXCEED AAC WILL BE SET IN PERMIT.

PHASE TWO: (PARTIAL LISTING – ISSUES WILL BE ADDED)

1. MEASUREMENT OF EMISSIONS AT LOW CONCENTRATIONS FOR NR 438 AND NR 445
2. COMPLIANCE SCHEDULES:
 - INTEGRATION INTO PERMIT PROCESS
 - COMPLIANCE CERTIFICATION PRIOR TO PERMIT ISSUANCE FOR EXISTING SOURCES
 - NEW AND MODIFIED SOURCES
 - INTEGRATION WITH OTHER ENVIRONMENTAL REGULATORY REQUIREMENTS
3. MACT AND NR 445 FOR EXISTING AND NEW/MODIFIED SOURCES
4. COMPLIANCE OPTIONS:
 - OPTIONS THAT ENCOURAGE POLLUTION PREVENTION, ENVIRONMENTAL MANAGEMENT SYSTEMS, ENVIRONMENTAL CONTRACTS AND OTHER “INNOVATIVE” ALTERNATIVES
 - INDUSTRY SECTOR APPROACHES (E.G. FOUNDRIES, PULP & PAPER)
 - COMMUNITY APPROACHES (E.G., SIMILAR INDUSTRIES IN A RELATIVELY SMALL GEOGRAPHIC AREA)
 - INNOVATIVE/FLEXIBLE COMPLIANCE OPTIONS WHERE THERE ARE KNOWN ADDITIVE IMPACTS (E.G., WHERE TWO OR MORE CHEMICALS IMPACT THE SAME END SOURCE)
5. RULE DRAFTING:
 - COMBINED TABLES (LISTING BY CHEMICAL NAME AND BY CAS #)
 - LANGUAGE CLEAN-UP
 - EMISSION STANDARDS IN RULE
 - LANGUAGE TO IMPLEMENT TLV>99 PPM “COMPROMISE” (I.E., ENFORCEABLE LIMITS FOR A SOURCE IF THERE IS A PUBLIC HEALTH CONCERN)
6. HARMONIZATION WITH OTHER ENVIRONMENTAL REQUIREMENTS
 - ACCIDENTAL SPILLS
 - OTHER?
7. PROCESS TO UPDATE NR 445 ON REGULAR SCHEDULE